



# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant  
application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09 053,043
Filing Date	04/01/98
Examiner Name	Karl D. Fiech
First Named Inventor	Isao KUDO
Group Art Unit	2876
Attorney Docket Number	31759-138000

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SR-29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
  - a. ☒ Previously submitted
    - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on April 23, 2002  
(Any unentered amendment(s) referred to above will be entered).
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
    - iii. ☐ Other
  - b. ☐ Enclosed
    - i. ☐ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
    - iv. ☒ Other Request for Extension of Time (3 mos.)
2. **Miscellaneous**
  - a. ☒ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) **required**)
  - b. ☐ Other
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 22-0261
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
    - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii. ☐ Other
  - b. ☒ Check in the amount of \$ 1790 enclosed
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print, Type)	Norman N. Kunitz	Registration No. (Attorney/Agent)	20,586
Signature		Date	August 7, 2002

VENABLE  
P.O. Box 34385  
Washington, DC 20043-9998

SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231  
PC Docs No. 313088

VENABLE

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8/20/02  
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**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision

**TOTAL AMOUNT OF PAYMENT** (\$) 1790

**Complete if Known**

Application Number 09/053,040

Filing Date 04/01/98

First Named Inventor Isao KUDO

Examiner Name Karl D. Frech

Group / Art Unit 2976

Attorney Docket No 31756-138000

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																													
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number 22-0261</p> <p>Deposit Account Name VENABLE</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105 130</td> <td>105 65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>107 50</td> <td>107 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139 130</td> <td>139 130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147 2,520</td> <td>147 2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>111 920*</td> <td>111 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113 1,840*</td> <td>113 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115 110</td> <td>115 55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116 400</td> <td>116 200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117 920</td> <td>117 460</td> <td>Extension for reply within third month</td> <td>920</td> </tr> <tr> <td>118 1,440</td> <td>118 720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>119 1,960</td> <td>119 980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119 320</td> <td>119 160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120 300</td> <td>120 150</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121 280</td> <td>121 140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138 1,510</td> <td>138 755</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140 110</td> <td>140 55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141 1,280</td> <td>141 640</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142 1,280</td> <td>142 640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143 460</td> <td>143 230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144 620</td> <td>144 310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122 130</td> <td>122 130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123 50</td> <td>123 50</td> <td>Processing fee under 37 CFR 1.17 (q)</td> <td></td> </tr> <tr> <td>124 180</td> <td>124 90</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>58*</td> <td>58* 40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>145 740</td> <td>145 370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>146 740</td> <td>146 370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>173 740</td> <td>173 370</td> <td>Request for Continued Examination (RCE)</td> <td>740</td> </tr> <tr> <td>153 900</td> <td>153 450</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="2">Other fee (specify) Suspension of action under 37C.F.R. 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**SUBMITTED BY**

Name (Print/Type)	Registration No. Attorney/Agent	Telephone
Norman N. Kunitz	20,586	(202) 962-4800
Signature	Date	August 7, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.